

THE EVIDENCE- BASED DECISION MAKING INITIATIVE: AN OVERVIEW FOR PROBATION

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EBDM

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BACKGROUND: WHAT IS THE EVIDENCE-BASED DECISION MAKING INITIATIVE?

In 2008, the National Institute of Corrections (NIC) launched the Evidence-Based Decision Making (EBDM) initiative. NIC is a federal agency within the U.S. Department of Justice. It provides training, technical assistance, information services, and policy/program development assistance to federal, state, and local justice system agencies and public policymakers.

The goal of the EBDM initiative is to equip criminal justice stakeholders with the information, processes, and tools that will result in measurable reductions in pretrial misconduct, post-conviction reoffending, and other forms of community harm. The initiative is grounded in three decades of research on the factors that contribute to criminal reoffending and the methods that justice systems can employ to interrupt the cycle of reoffense. The work is guided by [A Framework for Evidence-Based Decision Making in State and Local Criminal Justice Systems](#) (“EBDM Framework”) and its four key principles.

In 2010, seven local jurisdictions in six states were selected to pilot-test the Framework and a “roadmap” of action steps designed to improve outcomes through collaborative, research-based principles and processes. In 2015, an additional 21 teams—including three state-level teams—joined the national initiative. Collectively, EBDM’s 28 state and local teams represent a range of large urban areas, mid-size communities, and small rural towns.

EBDM FRAMEWORK PRINCIPLES

EBDM Principle 1: The professional judgment of criminal justice system decision makers is enhanced when informed by evidence-based knowledge.

EBDM Principle 2: Every interaction within the criminal justice system offers an opportunity to contribute to harm reduction.

EBDM Principle 3: Systems achieve better outcomes when they operate collaboratively.

EBDM Principle 4: The criminal justice system will continually learn and improve when professionals make decisions based on the collection, analysis, and use of data and information.

Genuine collaboration is a cornerstone of the EBDM process. The collaborative approach of EBDM seeks to overcome the limitations of traditional and nonsystemic approaches to criminal justice problem solving and solution development. EBDM brings together a broad array of stakeholders to develop a common understanding of the justice system, identify common goals, jointly create policies and practices to support the achievement of those goals, and stand together to advocate for those goals, particularly in the event of criticism. Criminal justice system “stakeholders” are defined as those who have a vested interest in justice system processes and outcomes; together they are referred to as “policy teams.”

Policy teams are comprised of the justice system agencies and community organizations that impact, or are impacted by, decisions that will be made by the collaborative team. Their specific composition varies depending upon the structure of each community, but they commonly include those with the positional power to create change within their own organizations. The chief judge, court administrator, elected prosecutor, chief public defender, private defense bar, probation/community corrections director, police chief, elected sheriff, pretrial executive, victim advocates, local elected officials (i.e., city manager, county commissioner), service providers, and community representatives are common policy team members of local teams.

“COLLABORATION” IS THE PROCESS OF WORKING TOGETHER TO ACHIEVE A COMMON GOAL THAT IS IMPOSSIBLE TO REACH WITHOUT THE EFFORTS OF OTHERS.

On state-level teams, the stakeholder composition is similar but includes those with positional influence across multiple communities (e.g., elected president of the state prosecutors' or sheriffs' association; executive director of the state's association of counties), including agencies and individuals with statewide authority or influence (e.g., state legislature, statewide behavioral/mental health agency, department of corrections, attorney general, governor's office, state courts). In addition, state-level teams include local team representatives in order to align state and local interests around justice system reforms. Together and separately, each team member brings valuable information, resources, and perspectives to the collaborative endeavor.

EBDM policy teams devote their first team meetings to building their collaborative team; understanding current practice within each agency and across the system; learning about research-based policies and practices ("evidence-based practices") and their application to decision points spanning the entire justice system, from point of initial contact (arrest) to final discharge; and agreeing upon a set of systemwide values

"HARM REDUCTION," AS USED HERE, REFERS TO DECREASES IN THE ILL EFFECTS OF CRIME EXPERIENCED BROADLY BY COMMUNITIES, VICTIMS, CITIZENS, JUSTICE-INVOLVED INDIVIDUALS, AND THEIR FAMILIES.

and goals. Thereafter, EBDM teams collaboratively develop strategic plans, focusing on key "change targets" for improving the alignment of research with policy and practice, and improving systemwide outcomes. Examples of change targets include expanding pretrial release and diversion options for those who do not pose a danger to the community; instituting or expanding intervention options for specific populations; expanding evidence-based interventions throughout the justice system; ensuring the appropriate use of risk assessment information; reducing case processing delays; establishing methods to streamline case information flow; and instituting formal processes for professional development and continuous quality improvement. Policy team strategic plans include logic models that describe theories of change, specific methods to measure performance, and a systemwide "scorecard"—a method to gauge the overall performance of the justice system in achieving its harm reduction goals, including improved public safety. Policy teams also identify strategies for engaging a broader set of professional and community stakeholders in their justice system reform efforts. Subsequent activities focus on the implementation of these strategic plans, identification of additional areas of improvement, expansion of the stakeholders involved, and increased capacity for the collection of data to monitor and improve performance.

THE PERSPECTIVE OF PROBATION OFFICIALS WHO HAVE ENGAGED IN THE EBDM PROCESS

Since the project's inception in 2008, probation professionals representing 25 local jurisdictions and three states have engaged in EBDM work. Through a series of focus groups, interviews, and surveys, they shared their views on this work.

The Benefits of EBDM

For many probation departments around the country, evidence-based practices are not new. In fact, the foundation of EBDM was built, at least in part, on the understanding that in order for significant reductions in recidivism to be realized, the entire criminal justice system—not just probation—must align around social science research and EBP. Based upon feedback from probation officials participating in the EBDM initiative—as well as reports from other stakeholders and observations of the work in the EBDM pilot sites—this goal is being realized.

IN THE WORDS OF PROBATION

"We must be open to following where the data and research lead us."

"This work is moving us to a system that is focused on the right interventions for the right participant at the right time in the right dose. We are also matching the appropriate supervision level to participant risk and can make changes in a more timely manner. We are heading toward greater effectiveness in our response to behaviors—both promoting prosocial behaviors and deterring antisocial behaviors with responses that are appropriate, swift, and certain."

Probation officials report that engagement in the EBDM process established a "common language" and understanding of "what works" among their justice system partners. It also facilitated the development of a set of shared values and expectations for system outcomes, a greater appreciation for the roles and perspectives of the agencies represented around the table, and the identification of barriers preventing achievement of the goals the teams sought to achieve. As several probation officials noted: "[EBDM] gave us all a greater appreciation of one another's [roles] and it allowed for new or enhanced partnerships," "EBDM increased communication and resulted in more efficient processes and procedures between our agencies," and "Barriers across agencies and different levels of government were identified and addressed." They further indicated that the process resulted in systemwide support for evidence-based approaches.

At the agency level, probation officials indicated that EBDM resulted in a number of specific practice changes. For instance, courts expanded probation's role in terms of selecting the targets of interventions; the focus of supervision shifted from a relatively equal focus on all risk levels to an emphasis on moderate and high; supervision contacts changed from largely monitoring terms and conditions to focusing on building offender skills related to criminogenic needs; and practices associated with responding to prosocial and noncompliant behavior became more swift, certain, and fair.

The Challenges of EBDM

Probation officials identified a number of challenges in engaging in the EBDM process. First and foremost were the challenges associated with the collaborative process itself: multiple agencies working together around one table results in people with different levels of understanding, commitment, perspectives, and agendas. It also means relinquishing a certain amount of autonomy in decision making. One official described this change this way: "We [used to make] decisions based upon what was best for [probation]...We [used to] put policies and procedures in place, then explain them to others...[Now] we discuss new policies and procedures, get consensus from the team, then put them in place." This change in business practice comes neither naturally nor easily: "To successfully engage in this work, one must be open to change. A culture where change is accepted, expected, and embraced [is challenging to create]" especially when "stakeholders are trying to 'play it safe.'"

At the agency administrator level, chief probation officers who are appointed by, or administratively report to, the court also found themselves in a challenging position: their very participation in EBDM required permission from the court, and their views on current probation and court practice and the ways in which those could be improved had to be delicately managed.

Finally, probation officials identified finding time for EBDM leadership activities (i.e., participating in team meetings, trainings, and workgroups or subcommittees) as challenging, particularly in small probation offices with few staff resources. In addition to a shortage of staffing, probation officials also confronted challenges related to funding to support the changes identified by the policy teams and the absence of meaningful data to inform policy decisions (particularly among those probation departments that are a part of statewide agencies).

Significant Practice Changes

Probation officials were asked to describe the ways in which their activities have changed over time as a result of EBDM. What follows is a summary of their responses.

BEFORE EBDM, WE...	SINCE EBDM, WE...
...made decisions based on previous knowledge of the case, experience, and intuition	...use science and the risk/needs principles to inform decisions
...provided the same level of supervision to probationers, regardless of their risk level	...provide little or no supervision to low risk and concentrate case planning and supervision on moderate and high risk
...had a high volume of low risk offenders on supervision	...have experienced a decrease in the number of low risk offenders referred to supervision by the court
...received proscriptive court orders	...receive court orders that allow probation to match services to risk and needs
...had not considered the effects of having different risk levels report on the same day	...have established "low risk report days"
...saw offenders only briefly and focused the appointment on their employment and whether they had police contact	...have meaningful one-on-one contacts that focus on addressing skill deficits and case plan goals
...provided the same services to everyone	...provide customized services based upon assessed criminogenic needs
...took all violators back to court	...assess the violation based upon its severity and the offender's risk level and, in many cases, respond administratively without a court hearing
...used jail as the "go to" sanction	
...determined length of supervision on the basis of the court order	...successfully terminate supervision early upon completion of the case plan and positive changes in risk level
...put policies and procedures in place, then explained them to others	...discuss new policies and procedures, get consensus from the team, then put them in place
	...associate performance measures with our policies

BEFORE EBDM, WE...	SINCE EBDM, WE...
...rarely considered changes that would align practices with EBP	...routinely examine existing policies to adhere to research-informed practices
...didn't know what a logic model was	...use logic models to develop our strategies to achieve our goals
...believed we needed to be insular and "guard our turf"	...view ourselves as a part of a larger system where trust, collaboration, and transparency increase our collective performance

ADDITIONAL EBDM RESOURCES:

- A Framework for Evidence-Based Decision Making in State and Local Criminal Justice Systems
- Evidence-Based Decision Making (EBDM) Primer
- EBDM Case Studies: Highlights from the Original Seven Pilot Sites
- Evidence-Based Decision Making User's Guides
- Evidence-Based Decision Making Starter Kit

For more information or to view other resources on EBDM, visit <http://www.nicic.gov/ebdm> or <http://ebdmoneless.org/>.

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